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Non-Party Respondent

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

NETWORK APPLIANCE, INC.,  
Plaintiff-Counterclaim Defendant,

vs.

SUN MICROSYSTEMS, INC.,  
Defendant-Counterclaimant.

Case Number: 3:07-CV-06053 EDL (JCS )

**PROOF OF SERVICE**

**Date: August 12, 2008  
Time: 9:30 a.m.  
Courtroom: E, 15<sup>th</sup> Floor  
Hon. Elizabeth D. Laporte**

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over eighteen (18) years of age and not a party to the above-entitled action. My business address is 44 Montgomery Street, Suite 3850, San Francisco, CA 94104. On the date below, I served the following documents:

- 1. NON-PARTY RESPONDENT ORRICK HERRINGTON & SUTCLIFFE, LLP'S  
OPPOSITION TO SUN MICROSYSTEMS, INC.'S MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS;**

2. **DECLARATION OF SCOTT R. LOVERNICK IN SUPPORT OF NON-PARTY  
RESPONDENT ORRICK HERRINGTON & SUTCLIFFE, LLP'S  
OPPOSITION TO SUN MICROSYSTEMS, INC.'S MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS;**

3. **DECLARATION OF MATTHEW J. HULT IN SUPPORT OF NON-PARTY  
RESPONDENT ORRICK HERRINGTON & SUTCLIFFE, LLP'S  
OPPOSITION TO SUN MICROSYSTEMS, INC.'S MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS;**

4. **DECLARATION OF AMY DALTON IN SUPPORT OF NON-PARTY  
RESPONDENT ORRICK HERRINGTON & SUTCLIFFE, LLP'S  
OPPOSITION TO SUN MICROSYSTEMS, INC.'S MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS; AND**

5. **[PROPOSED] ORDER**

on the below-named parties and/or counsel of record by the manner indicated:

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6 **XXX *Electronic Mail, I caused a true copy of the said documents to be delivered***  
7 ***electronically to the above e-mail addresses via the United States District Court-***  
8 ***Northern District of California's Electronic Case Filing (ECF) System.***

9 I declare under penalty of perjury under the laws of the State of California that the  
10 foregoing is true and correct and this declaration was executed on July 22, 2008, at San  
11 Francisco, California.

12 \_\_\_\_\_  
13 /s/  
14 Du'Ana K. McGee